IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2209 OF 2007
IN
WRIT PETITION NO. 6828 OF 2005

Ambajogai Sahakari Sakhar Karkhana Ltd.] .. Applicant
(Ori.Resp.No.2)

Versus

1. The Assistant Provident Fund Commi-]
-ssioner & Recovery Officer & Anr.] .. Respondents

Mr. R.M. Pethe for the applicant/original Resp.No.2.

Mr. Prashant Naik for the petitioner.

Mr. Suresh Kumar for the respondent No.1.

CORAM: S.B. MHASE &
D.G. KARNIK, JJ.

DATED: 24TH AUGUST, 2007

P.C. :

. Heard Mr. R.M. Pethe for the applicant, Mr. Prashant Naik for the petitioner and Mr. Suresh Kumar for the respondent No.1.

2. With the consent of all the parties, the Civil Application is disposed of in terms of prayer clause (b). Prayer clause (b) reads as follows:

"(b) direct to undertake joint auction sale

by inviting tenders of 10,822 sugar bags + 37,120 sugar bags (47,922 sugar bags in total) attached pursuant to panchanama dated 25th June, 2007 and 11th March, 2004 respectively and to deposit the sale proceeds with the Opponent No.2 during the pendency of the Writ Petition;"

3. The expenses of re-advertisement shall be borne by the applicant and the amount realised out of the auction shall be deposited in this Court.

4. Parties are at liberty to apply for apportionment after the amount is deposited in Court.

Sd/-
[D.G. KARNIK, J.]

Sd/-
[S.B. MHASE, J.]